

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 19, 1967

10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Pro Tem Shanks presiding.

Roll call:

Present: Councilmen LaRue, Long, Mayor Pro Tem Shanks

Absent: Councilman White and Mayor Palmer

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

MAYOR PALMER out of the City attending a Mayor's Meeting; COUNCILMAN WHITE absent due to illness.

Invocation was delivered by MR. DOREN R. ESKEW, City Attorney.

MAYOR PRO TEM SHANKS announced it was 10:00 A.M. and bids would be opened on Contract X-123 A - Combustion Controls, for Decker Creek Power Station Unit I. Bids were received and opened as follows:

BIDDER	BID BOND	BIDDING			CALENDAR DAYS AFTER AWARD OF CONTRACT		
		UNIT NO.1 COMPLETE CONTROL SYSTEM	UNIT NO.2 PER DIEM RATE	ESCALATION	FIRST ISSUE OF DWGS. TO ENGRS.	FINAL APPROVED DRAWINGS TO ENGRS.	CERTIFIED PRINTS TO ENGRS.
Foxboro Company (1)	\$20,000	\$241,331	\$120	\$274,865 3%	45	150*	365*
General Electric Co.	\$20,000	\$258,992	\$200(2) 145	3%	SEE ATTACHED LETTER		
Hagan Controls Corp.	\$20,000	\$250,000	\$100	Firm	45	150	365
Rockwell Mfg. Co.	\$20,000	\$234,529	\$100	3%	45	150	275

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- (1) See proposal for exceptions
 (2) For annunciator
 * see note on proposal

The bids were referred to the Director of Electric Utilities and the Consulting Engineers, Brown & Root, Inc., for review and examination, and recommendation. Later in the meeting, the City Manager read the following:

"January 19, 1967

"Mr. W. T. Williams, Jr., City Mgr.
 City of Austin
 P.O. Box 1088
 Austin, Texas 78767

"COMBUSTION CONTROLS, CONTRACT NO. X-123A
 DECKER CREEK POWER STATION
 UNIT NUMBER ONE
 OUR JOB CA-0003

"Dear Mr. Williams:

"Brown & Root, Inc., has examined the bids opened by you at 10:00 a.m., January 19, 1967, in open City Council Meeting for Decker Creek Power Station, Unit No. One, Combustion Controls, Contract No. X-123A.

"A bid tabulation is attached for your review and file.

"The evaluated bid including escalation is as follows:

"Foxboro Company -----	\$247,865.00	(Max. escalation price stated by Foxboro)
General Electric Company-----	\$266,761.76	(3% escalation)
Hagan Corporation-----	\$250,000.00	(No escalation)
Republic Division-Rockwell Mfg. Co.-----	\$241,564.87	(3% escalation)

"The Bailey Meter Company and the Leeds & Northrup Company were also asked to bid but failed to submit proposals.

"On the basis of our review the lowest and best bid with no exceptions to the specifications and satisfactory delivery, it is recommended that a contract be awarded to Republic Division-Rockwell Mfg. Co., for Contract No. X-123A, Combustion Controls, Bid Unit No. One for the maximum escalation lumpsum price of \$241,564.87.

"If you have any questions on this evaluation please let us know.

"APPROVED:
 s/ D. C. Kinney
 D. C. Kinney, Dir. Elec. Utility"

"Very truly yours,
 BROWN & ROOT, INC.
 s/ D. V. Boyd
 D. V. Boyd, P.E."

Councilman LaRue moved that the Council award the contract to the lowest and best bidder, REPUBLIC DIVISION-ROCKWELL MANUFACTURING COMPANY. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Pro Tem Shanks
 Noes: None
 Absent: Councilman White and Mayor Palmer

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, an electric easement was granted to the City of Austin by instrument dated February 28, 1941, of record in Volume 668 at Page 480 of the Deed Records of Travis County, Texas, same being in, upon and across that certain 0.75 of one acre of land, more or less, out of the John Applegate Survey in Travis County, Texas, as described in a deed dated April 16, 1953, and recorded in Volume 1340 at Page 302 of the Deed Records of Travis County, Texas; and,

WHEREAS, the owner of the above described property has requested the City Council of the City of Austin to release the hereinafter described portion of said easement: and,

WHEREAS, the City Council has determined that the hereinafter described portion of said easement is not now needed and will not be required in the future; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager of the City of Austin be, and he is hereby authorized to execute a release of the following described electric easement, to-wit:

Being all that certain 0.75 of one acre of land, more or less, out of the John Applegate Survey in Travis County, Texas, as described in a deed dated April 16, 1953, and recorded in Volume 1340 at Page 302 of the Deed Records of Travis County, Texas; which 0.75 of one acre of land, more or less, lies between Middle Fiskville Road and Interstate Highway 35, also known as the Interregional Highway, and extends from the south line of Braker Lane in a southwesterly direction approximately 500 feet, which electric easement was provided by an instrument dated February 28, 1941, of record in Volume 668 at Page 480 of the Deed Records of Travis County, Texas.

The motion, seconded by Councilman LaRue, carried by the following vote:
Ayes: Councilmen LaRue, Long, Mayor Pro Tem Shanks
Noes: None
Absent: Councilman White, Mayor Palmer

Action was postponed on the following zoning ordinance:

W. T. BENNETT	3905-3909 Manchaca Road	From "A" Residence
		To "O" Office

Mayor Pro Tem Shanks brought up the following ordinance for its third reading:

AN ORDINANCE AMENDING THE AUSTIN CITY CODE OF 1954 BY ADDING TO CHAPTER 3 THEREOF A NEW ARTICLE DESIGNATED ARTICLE III, CONCERNING THE KEEPING OR RELEASING OF DANGEROUS ANIMALS OR REPTILES IN OR WITHIN 5000 FEET FROM THE CITY; AND DECLARING AN EMERGENCY.

The City Attorney distributed copies, stating the ordinance contained a change to include an area 5,000' outside of the City limits for releasing dangerous animals and reptiles. This provision was not in the ordinance the Council had voted on last week. The Council has the authority to extend its jurisdiction up to 5,000' for this purpose. Councilman Long inquired about the effects this ordinance would have on parades, and asked if elephants could be permitted to be on the streets without being caged, and suggested that the ordinance contain a provision excepting parades where permits are necessary. Councilman LaRue inquired about the provision where the animal shall be securely confined in such a manner that such animal or reptile could not come in contact with any person; and asked how this would apply to a circus where some of the trainers came in close contact with the lions in their cage. The City Attorney suggested passing the ordinance and then consider various changes to amend the ordinance.

The ordinance was read the third time and Councilman LaRue moved that the ordinance be finally passed. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Pro Tem Shanks
 Noes: None
 Absent: Councilman White, Mayor Palmer

Councilman Long stated this was with the intention the ordinance would be amended.

The City Attorney stated as amendments were thought of to let him know.

The Mayor Pro Tem announced that the ordinance had been finally passed.

The City Manager submitted the following:

"January 17, 1966

"TO: W. T. Williams, Jr., City Manager SUBJECT: Reinforced Concrete Walk
 Contract 66-C-12

"Following is a tabulation of bids received at 11:00 A.M., Tuesday, January 17, 1967 for the construction of a reinforced concrete walk at the Municipal Auditorium know as Contract Number 66-C-12.

Jack A. Miller	\$16,839.71
Maufrais Brothers	\$17,618.10
Ed H. Page	\$19,364.70
Bruce Lockie Const. Co.	\$20,954.44
Miller's Concrete Contractors	\$23,089.30
City's Estimate	\$18,965.68

"I recommend that Jack A. Miller with his low bid of \$16,839.71 be awarded the contract for this project.

"From: S. Reuben Rountree, Jr.
 Director of Public Works
 s/ S. Reuben Rountree, Jr."

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on January 17, 1967, for the construction of a reinforced concrete walk at the Municipal Auditorium; and,

WHEREAS, the bid of Jack A. Miller, in the sum of \$16,839.71, was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Jack A. Miller, in the sum of \$16,839.71, be and the same is hereby accepted, and that W. T. Williams, Jr., City Manager of the City of Austin, be and he is hereby authorized to execute a contract, on behalf of the City, with Jack A. Miller.

The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Pro Tem Shanks

Noes: None

Absent: Councilman White, Mayor Palmer

Mayor Pro Tem Shanks introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH E. J. HOOD FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The City Manager stated this was a regular contract for water only as no sewer is available. It is in a former water district and the Council had adopted a policy upon taking over the district, the City would make the same type of refund policy as used in the City. The water district contracts were paid off \$.50 on the dollar.

The Ordinance was read the first time and Councilman Long moved that the ordinance be passed to its second reading. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Pro Tem Shanks

Noes: None

Absent: Councilman White, Mayor Palmer

MR. SAM PERRY appeared before the Council reviewing a zoning case at 1704-1708 Manor Road in which a restrictive covenant was placed on Lot 2 (Tract 1) for 61 units, and the owner proceeded to build 48 units. Additional property was acquired, and resubdivided into one tract, and he had come before the Council requesting additional apartment units. The Building Official had taken the position that when these two tracts were put together and made one tract, the whole tract became burdened with the restrictions of the former tract. They requested

the Council to permit the filing of an amended restriction to cover both tracts of land, limiting the number of units to 72, and the Council granted this permission. In the process of filing a special permit, it was discovered the parking space was not satisfactory. They combined the whole tract into one big tract of land. The Building Official stated this new plan was far better, as there is more area, and sufficient parking. Mr. Perry wanted, by the combination of the extra land, to build 85 apartments, with 143 parking spaces. Councilman Long moved to accept the amended covenant granting 85 units on the resubdivision of this plot plan, Manor Apartments. The motion, seconded by Councilman LaRue, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Pro Tem Shanks
 Noes: None
 Absent: Councilman White, Mayor Palmer

At 10:30 A.M. Mayor Pro Tem Shanks opened the hearing on the improvement of the following streets:

- a. AVENUE "A" and other streets.
- b. BREEDLOVE COURT and other streets.
- c. TINNIN FORD ROAD.
- d. 10TH STREET ALLEY.

AVENUE "A" AND OTHER STREETS

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
Avenue "A"	NPL West 43rd Street	SPL West 45th Street
Barrow Avenue	NGL East 41st Street	SPL East 43rd Street
Crestmont Drive	EPL Woodview Avenue	SPL Hancock Drive
Avenue "D"	NPL West 39th Street	A point 5' north of EPL West 40th Street
Kenniston Drive	EGL Airport Boulevard	A point 816' east of EPL Guadalupe Street
King Street	SPL Maiden Lane	SGL West 38th Street
Munson Street	EPL Gunter Street	WPL Springdale Road
Rogers Avenue	EPL Stafford Street	WPL Walnut Avenue
Ronson Street	NPL West 37th Street	SPL West 38th Street
Shoalwood Avenue	NPL Crestmont Drive	SPL Hancock Drive
Swanee Drive	EPL Guadalupe Street	A point 188' west of WPL Isabelle Drive
Wabash Avenue	NPL West 31st Street	SPL West 34th Street
West 37th Street	EPL King Street	WPL Guadalupe Street
West 42nd Street	EPL Guadalupe Street	WPL Avenue "C"
West 44th Street	EPL Guadalupe Street	WPL Speedway

The City Attorney reported notices were advertised in the newspaper, personal notices sent to the property owners, and all statutory requirements were met regarding the holding of this hearing. He asked, if necessary, that the Council continue the hearing in order that additional evidence be presented concerning the improvements of the properties.

MR. SIDNEY PURSER, representing MR. EARL PADOLNICK, stated the paving had no value to Mr. Padolnick's property on the corner of Hancock Drive and Crestmont, where he has his office building, as a big gully (Hancock Branch) runs between the Padolnick property and Crestmont Street. The street gives him no access, he has no use of it, and he would not care if it were closed. The curbing and paving would not enhance his property. To fill the ditch or construct a storm sewer would be more than the land would be worth, and no loans would be available for building over such structure. The City Manager stated this branch was covered through the Shopping Center, and Yarings was built over it. The City Attorney recalled other buildings over drainage ditches--Gage Furniture Co., Mt. Vernon Motor Courts, and others. He asked if the lack of dust would improve the usability of the property. Mr. Purser said the dust was no problem to them. The amount involved for the paving was \$600 or \$700. Parking on the street now in connection with the theatre was discussed. Mr. Purser stated the theatre was owned and is under lease to a different company, and the office is separate. The City Attorney stated the question that is germane is whether or not the paving of the street enhances the property. Mayor Pro Tem Shanks asked Mr. Purser if he thought every street should be paved under any condition? Mr. Purser said he thought every street in the City should be paved; but this particular street could be closed. Mayor Pro Tem Shanks asked Mr. Padolnick if he thought the streets in Austin should be paved. Mr. Padolnick said every street in the City should be paved if it could be. Mayor Pro Tem Shanks then noted the question is "who was to pave them". Mr. Padolnick said paving would benefit the people who have their homes on this street, but there was nothing usable on that street for him with this 50' ditch 100' back. He discussed the subdivision, stating the City permitted the location of his office at a certain site if he would give the ditch and he was under the impression he had given the City the ditch. The City Attorney said there was not a recorded drainage easement there and his engineer was asked to place a drainage easement on record. The shifting of the easement enabled Mr. Padolnick to have a better configuration for the use of land. The subdivision plat probably shows an easement where the ditch is. The City Attorney asked Mr. Padolnick if it were his opinion his land enjoyed no benefit or enhancement in value because the street that it abuts is paved. Mr. Padolnick replied that was correct--no value to him. The City Attorney asked if it were his opinion the land was not enhanced in value at all by the paving of the street. Mr. Padolnick stated it was as there was no access to his property whatsoever. Councilman LaRue pointed out there were periods of time when no one thought of covering the area at the new center; but as land increased in value, they discovered they could cover the gulley and construct these buildings. This might also apply to this land at some time when it would be valuable enough to do that. It was pointed out this land was at the corner of Crestmont and Hancock Drive, and the property had been zoned "C" Commercial all the way to Crestmont including the ditch. Mayor Pro Tem Shanks stated the Council would go look at this lot, and the hearing on improving Avenue "A" and other streets would be continued.

EAST 10TH STREET ALLEY

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
East 10th Street Alley	EPL Neches Street	WCL Red River Street

Hearing on paving the 10th Street Alley between Neches and Red River; and between 10th and 11th Streets was opened. MR. BOB HERRON, represented MRS. ELVA PEARSON who is being assessed for the paving for Lot 2 on the 10th Street Alley stating it was her opinion the alley had been closed in 1878 by an agreement.

signed by all the property owners in the block, such agreement being recorded in the Deed Records, and was entered into pursuant to a statute of the Republic of Texas. Mrs. Pearson had her half of the alley fenced until the city recently moved the fence and paved the alley. Mayor Pro Tem Shanks asked why the fence was moved by the City, and Mr. Herron said it was moved initially because of interference with utility poles down the middle of the block. Mrs. Pearson's position was her property would be more valuable with the extra land in the back, and paving does not enhance the value but diminished the property. She had said she would be willing to execute a quitclaim to her interest in the alley provided the City would restore, repair the fence and move it to the new location. Instead she is being assessed \$240.00 for cost of paving the alley. Councilman Long asked if the instrument of agreement to close the alley was valid. The City Attorney answered it was not, and explained the Act of the Republic was in the nature of prohibiting the City's closing streets or alleys without permission of the property owners. He reviewed the statute and explained the process of maturing limitation of title. Mrs. Pearson stated the City had moved the fence back and everything was satisfactory, but there was a recorded deed in 1878 closing the alley. Lengthy discussion was held on the status of the alley and its opening. The City Manager said the east end of the alley had been opened for many years, and houses were constructed to face on this alley. Mr. Herron stated the recent opening stemmed from the request of the owner of an apartment house to have the alley paved; and whether or not the paving would be of any benefit to the other lot owners was questionable. Councilman Long stated once the alley was used freely by a group of people it would cause enough dust to be very objectionable to the property owners. Councilman LaRue asked about the status of the alley by the action in 1878. The City Attorney reported this had been researched thoroughly and he was convinced the alley was not vacated. Mayor Pro Tem Shanks asked if the City worked on the assumption the alley was open. The City Attorney said it was opened, but not as wide as necessary to pave it, and the purpose of widening it was to make it usable to all the people in the block.

MR. DICK MERRILL, part owner of the property on Neches and 10th, next to Mrs. Pearson's lot, questioned how this would enhance the value of their property since Neches Street, according to the Urban Renewal Plan, is to be closed, and this alley will enter into a closed street. The City Attorney explained no Urban Renewal Plan had been approved here yet; and if one were approved which required the closing of Neches Street in the future it would have nothing to do with the value of the property as of the day of the assessment and the enhancement of the property as the result of the paving. Councilman LaRue noted if Neches were closed it would be more valuable to keep this alley open. The City Manager reported on the Urban Renewal Plan which was being developed but that it had not been reviewed by the City Council. It does show the elimination of Neches Street, but it does not go into the question of whether alleys should be opened or not. The plan designates this area as high density residential or apartment use. Mr. Merrill stated the City offered to move their fence back, but they gave permission to tear it down. They agreed to the alley's being cut through, even though they felt they owned half of it; but they did not feel it would enhance the value of their property. Mayor Pro Tem Shanks asked if Mr. Merrill objected to the assessment. Mr. Merrill stated they did not mind losing the land but that they did not believe paving would enhance the value of the property. Discussion was held on the urban renewal use.

MR. HENRY MOORE stated the legal processes did not provide for their coming up at the time the public necessity was decided and the paving had been done. One out of five property owners needed the alley open. The City Attorney explained procedures for paving in that some property owners initiated the paving; some were asked to sign petitions for paving; and many streets and alleys

were paved by necessity due to heavy maintenance and for other reasons, without property owners' approval. Mr. Moore's assessment was \$356.91. Councilman Long asked if the alley were open all the way through on the other half. Mrs. Pearson stated it was opened about 15' or 20' all the way through, but few people used it. Councilman LaRue suggested that the Council go look at this alley. Mayor Pro Tem Shanks stated the hearing on the East 10th Street Alley would be continued.

BREEDLOVE COURT AND OTHER STREETS

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
Breedlove Court	A point 164' west of WPL Greenwood Avenue	WPL Greenwood Avenue
Clermont Avenue	EPL Interregional Highway	WPL Waller Street
Comal Street	NPL East 12th Street	NPL East 14th Street
Coronado Street	A point 185' west of WPL Pedernales Street	WPL Pedernales Street
Flores Street	EPL Interregional Highway	WPL Waller Street
Greenwood Avenue	NPL Pennsylvania Avenue	SPL East 12th Street
Hollywood Avenue	A point 320' south of SPL Edgewood Avenue	SPL Edgewood Avenue
Lambie Street	EPL Interregional Highway	WGL Waller Street
Lincoln Street	NPL East 8th Street	SPL Peoples Street
Mill Street	NPL East 8th Street	SPL East 10th Street
Neal Street	EPL Cherico Street	WPL Gunter Street
Pleasant Valley Road	NPL East 1st Street (West)	SPL East 7th Street
Poquito Street	NPL Rosewood Avenue	SPL East 12th Street
Waller Street	EPL Interregional Highway	SGL Haskell Street
East 10th Street	EPL Chicon Street	WPL Prospect Avenue

Hearing on Breedlove Court and other streets was opened. MR. LLOYD CARTER, 1806 Ulit, was told this unit had been removed temporarily from this paving program. As to Mr. Carter's property on Lincoln, the Public Works Director suggested he check with MR. B. V. WAITE, Public Works Department, and work out arrangements for payments.

MRS. ORA LEE NOBLES, 902 Mill, said they had already paid for improving 2014 East 9th Street. Mill Street was paved and she and her sister were assessed for \$351.41, which is more than the first estimate by some \$200.00. When Mill was paved, no driveway was left open. It was explained the difference in cost was the difference in the voluntary paving and the assessed paving programs. As to the curb cut, the Director of Public Works said this would be taken care of. (Monroe-Taylor property, Unit 66-37-C). MR. ADOLPH BANKS, also needed a curb cut at 804 Mill.

MRS. WILEY MOORE, 1183 Greenwood, inquired about the time payment on assessments. She was referred to the Director of Public Works.

MAYOR PRO TEM SHANKS announced that hearing on Breedlove Court and other streets was continued.

TINNIN FORD ROAD

<u>STREET</u>	<u>FROM</u>	<u>TO</u>
Tinnin Ford Road	NPL East Riverside Drive	SPL South Lakeshore Boulevard

Hearing on Tinnin Ford Road was continued until next week.

AMBULANCE SERVICE

MR. RALPH KELLER, Austin Ambulance service distributed and read a statement citing on September 1, 1966, they came before the Council regarding financial help to enable them to provide an ambulance service for which all could be proud. They were to furnish operating figures and report back in three months. He submitted a financial statement covering the last four months. He said cities were having problems with providing ambulance services, and each City is still trying to find a solution. Dallas and San Antonio passed an ordinance making it a misdemeanor not to pay an ambulance bill; other cities are considering such an ordinance, and he hoped Austin would pass one. He listed the operating expenses of the unique service, and named their auxiliary services--a commuter bus service to San Marcos for college students; transportation of day students to and from St. Stephens School; and a 24 hour oxygen and delivery service from which they have been able to cut their overhead. However, they are unable to continue the ambulance service on the present basis, and they were willing to enter into a contract with the City to handle all Police originated calls within the City for \$1990.00 per month; or on the basis of \$10.00 per call. He strongly recommended that the City pass an ordinance making it a misdemeanor to fail to pay for ambulance service. The business as of January 1, had suffered a loss of \$10,185.37 and they are not in a position to continue the emergency service and are asking for consideration and help.

MR. KELLER reviewed his figures, and explained the situations in which some of his losses had occurred and their inability to collect for the services. He referred to Fort Worth, which ran an ambulance service for two and a half months, and it was going to cost \$100,000 a year. A private company now is providing the services at whatever charge is necessary to operate; and is charging \$35.00 for an emergency call and extra for oxygen, etc. His company does not want to operate like that. Houston ambulance calls run from \$75 to \$90. Councilman Shanks inquired with the reported loss from calls originating through the Police Department, and with the proportionate loss of their private calls, how could they operate with the amount requested from the City. Mr. Keller stated they would hope that an ordinance making it a misdemeanor not to pay ambulance services would be passed. Councilman Long was not in favor of passing such an ordinance. Councilman LaRue asked for information on the \$10,000 loss on the Police calls. MR. J. P. HURST, Administrator, explained their extra services had shown a little profit, and they had better collections on their private calls. The City Attorney asked if they were paid \$20.00 for every call through the Police Department, if they could break even or if they would make a profit. Mr. Hurst said they would hope to break even. Councilman LaRue asked if Mr. Keller had figures on the Transportation Company. Mr. Keller filed an extra statement on revenues from the oxygen service, actual collections, night calls for the Funeral Homes, and other services.

Councilman LaRue stated his feeling was that an ordinance like those in effect in Dallas and San Antonio should be considered, but apply only to emergency calls originating through the Police Department; and not to calls made by the Police for some one just calling the Police Department and asking it to call an ambulance. The City Manager stated the ordinance should not be limited to police calls. An ordinance which would declare it to be a misdemeanor for anyone making use of the service, regardless of who ordered it, and not paying the charge would

be valid. This excepts the persons who are unconscious. Councilman LaRue stated on the basis of a contract with a company to take care of the police calls, this would be official business and the City's responsibility, and such an ordinance would be appropriate. The City Attorney explained the Council would have as much or more authority under its police power to enact an ordinance that would have a blanket effect than one where the City was a contractual party. The City Manager said there was already a precedent as there is an ordinance making it an offense not to pay a taxi driver when the City had not called for the taxicab. Probably this ordinance should be repealed. Councilman Long suggested that this matter be postponed until next week when all members of the Council were present. The City Manager submitted additional information requested by Councilman LaRue the week before.

MR. VILLASENOR said Mission Funeral Home had provided ambulance service for this community, at a charge of \$8.00 and is now charging \$12.50 for transfer calls and \$15.00 for emergency service. If the Austin Ambulance Company wants a contract with the City, he would like to have it opened on a bid basis, and he would like to provide the whole service to the City on that basis and could provide city wide ambulance service by February 1st. He agreed this proposed ordinance would be of benefit and he was willing to provide the service. He did believe, however, this should be put out on bids. Mayor Pro Tem Shanks said this would be placed on the agenda for next week.

RECOMMENDATION OF THE BUILDING STANDARDS
COMMISSION ON SUBSTANDARD HOUSES

MAYOR PRO TEM SHANKS submitted the recommendation of the Building Standards Commission on substandard house as follows:

8607 Guadalupe Street
Mr. Joseph Crosby

- That the structure located on this lot be declared a public nuisance by the City Council; that the owner of said property be given 90 days from September 14, 1966, in which to repair and remodel the structure; that after expiration of the 90 day period, the owner has failed to repair and remodel the structure, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the City of Austin, with permission of the court, be empowered to demolish the structure, and affix the cost thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

The Building Official reported the owner of the house at 8607 Guadalupe had come in early this morning and obtained a permit to repair. The permit is good for 90 days. Councilman LaRue moved to authorize the City Manager to take whatever steps are necessary at the expiration of 90 days, 8607 Guadalupe Street, Mr. Joseph Crosby. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen LaRue, Long, Mayor Pro Tem Shanks
 Noes: None
 Absent: Councilman White, Mayor Palmer

The Council discussed each of the houses, and the Building Official reported all owners had received notices, and all but two returned receipts of the registered letters; personal delivery was attempted, but was unsuccessful to those two; but notices were posted on the houses.

Councilman Long moved that the City Manager be authorized to proceed in accordance with the recommendation of the Building Standards Commission on the following:

2320 Santa Rita (Unit A) - That the structure located on this lot be
 Mr. R. Graham Wilson declared a public nuisance by the City Council; that the owner of said property be given 90 days from September 14, 1966, in which to repair or demolish the structure; that after expiration of the 90 day period, the owner has failed to repair or demolish the structure, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdiction; that upon a termination of the legal proceedings in favor of the City of Austin, the failure of the defendant to abate the nuisance, the forces of the City of Austin, with permission of the court, be empowered to demolish the structure, and affix the costs thus incurred as a valid and enforceable lien against the property upon which the above mentioned structure is located.

The motion, seconded by Councilman LaRue, carried by the following vote:
 Ayes: Councilmen LaRue, Long, Mayor Pro Tem Shanks
 Noes: None
 Absent: Councilman White, Mayor Palmer

Councilman Long moved that the City Manager be authorized to proceed in accordance with the recommendation of the Building Standards Commission on the following:

2320 Santa Rita (Unit B) - That the structure located on this lot be
 Mr. R. Graham Wilson declared a public nuisance by the City Council; that the owner of said property be given 90 days from September 14, 1966, in which to demolish the structure; that after expiration of the 90 day period, the owner has failed to demolish the structure, the Legal Department of the City of Austin be instructed to seek judicial determination that the above structure is a public nuisance in a court of competent jurisdic-